IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

WP(C).No. 33122 of 2007(R)

PETITIONER:

K.N.SARALA (RETIRED SUB REGISTRAR, RAMAPURAM), KOTTITHARA HOUSE, VADAKARA P.O., THALAYOLAPARAMBU, KOTTAYAM DISTRICT.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, TAXES DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM, PIN-695 001.**

2. **INSPECTOR GENERAL OF REGISTRATION, VANCHIYOOR P.O., THIRUVANANTHAPURAM, PIN-695 035.**

3. **DISTRICT REGISTRAR (GENERAL), KOTTAYAM, COLLECTORATE P.O., PIN-686 002.**

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. GIRI ,J.

WP(C).NO.33122 of 2007

Dated this the 12th day of November, 2007

JUDGMENT

Petitioner, who retired from the Registration Department as a Sub Registrar on 30.6.2007 is aggrieved by the fact that retirement benefits have not been disbursed so far. Disciplinary proceedings were initiated against her as per Ext.P1 memo of charges. She was reinstated in service as per Ext.P2 order dated 4.4.2007. Memo of charges have not been issued to her so far.

2. Disbursal of retirement benefits due to the petitioner by way of DCRG is not dependant on the pendency of the disciplinary proceedings as such. Liability of an employee can be finalised without reference to the pendency of the disciplinary proceedings. Time frame has been fixed in this regard under the Kerala Service Rules.

3. After having heard both sides, I am of the view that the second respondent shall take a decision as to the finalisation of the disciplinary proceedings initiated under Ext.P1 without further delay. Orders in this regard, will be passed within a period of three months from the date of receipt of a copy of this judgment, after hearing the petitioner. In the meanwhile provisional pension as

due and admissible to the petitioner will be paid, and orders in this regard will be passed within one month from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

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